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Attorneys for Plaintiffs
JANE DOE
MARY ROE

UNITED STATES DISTRICT COURT
for the NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

JANE DOE and MARY ROE,

Plaintiff,

vs.

**GENERAL MICHAEL W. HAGEE,
COMMANDANT OF THE UNITED
STATES MARINE CORPS; UNITED
STATES MARINE CORPS; DONALD C.
WINTER, SECRETARY OF THE
NAVY; DEPARTMENT OF THE NAVY;
SERGEANT BRIAN FUKUSHIMA;
STAFF SERGEANT JOSEPH
DUNZWEILER; and DOES 1-10,**

Defendant.

CASE NO.: C 06 1777 MHP
E-FILING CASE

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME WITHIN
WHICH TO SERVE DEFENDANT
JOSEPH K. DUNZWEILER AND FOR
SETTLEMENT CONFERENCE**

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1 This Court, in its Order dated September 22, 2006, extended the date to serve Defendants
2 Brian G. Fukushima and Joseph K. Dunzweiler to November 15, 2006. Pursuant to that Order, a
3 settlement conference has also been scheduled before Magistrate Judge Joseph C. Spero on
4 December 19, 2006.
5

6 Thereafter:

7 1. On October 12, 2006, after diligently searching for an investigator/process server
8 who could locate and serve the two individual defendants, plaintiffs engaged the services of Scott
9 Wilmore, a licensed process server located in Santa Rosa, California, both as a process server and
10 as a skip tracer to locate Defendants Dunzweiler and Fukushima.
11

12 2. On November 13 Defendant Fukushima was successfully served, and a proof of
13 service was e-filed on November 14, 2006. Plaintiffs have information that would allow Mr.
14 Wilmore to locate and serve Defendant Dunzweiler but he needs additional time to do so.
15

16 3. Counsel for plaintiffs and defendants agree that additional time is necessary and
17 appropriate to properly serve Defendant Dunzweiler and that further discovery should be
18 completed to facilitate meaningful settlement discussions. The parties have propounded written
19 discovery and have agreed to notice Defendants Dunzweiler's and Fukushima's depositions for
20 December 19 and 20, 2006.
21

22 4. Judge Spero's clerk has indicated that February 28, 2007 is currently available for
23 settlement conference and the parties have reserved that date.
24

25 IT IS THEREFORE STIPULATED BY AND BETWEEN THE PARTIES:

26 a. Plaintiffs may have until December 31, 2006 to serve Defendant Joseph K.
27 Dunzweiler.
28

b. The settlement conference should be set for a mutually convenient date before March 30, 2007.

c. Discovery cut off and other subsequent dates be changed accordingly.

Dated: November 15, 2006

Respectfully submitted,

By: /s/ - Michael S. Sorgen
BARRY VOGEL
MICHAEL S. SORGEN
Attorneys for Plaintiffs

/s/ - Owen P. Martikan
OWEN P. MARTIKAN
Assistant United States Attorney
Attorney for Defendants

BASED ON THE AFORESAID STIPULATION, IT IS SO ORDERED.

Dated: November 24, 2006

